Page 1 of 3

DOCKET NO.: 2008-0373-PWS-E **TCEQ ID:** RN101237972 **CASE NO.:** 34583

RESPONDENT NAME: The Reinforced Earth Company

ORDER TYPE:								
X 1660 AGREED ORDER	FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING						
FINDINGS DEFAULT ORDER	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER							
_AMENDED ORDER _EMERGENCY ORDER								
CASE TYPE:								
AIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL AND HAZARDOUS WASTE						
X PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION						
WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL						
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION						
TYPE OF OPERATION: Public water sup SMALL BUSINESS:X_Yes	No							
OTHER SIGNIFICANT MATTERS: Then facility location.	e are no complaints. There is no record of additiona	al pending enforcement actions regarding this						
INTERESTED PARTIES: No one other that	an the ED and the Respondent has expressed an inter	rest in this matter.						
COMMENTS RECEIVED: The Texas Reg	ister comment period expired on June 30, 2008. No	comments were received.						
239-1482; Mr. Bryan Sinclair, Enfo Respondent: Mr. Roger Bloomfiel Virginia 22182-2233 Mr. Vincent Boillot, Chief Financ Virginia 22182-2233	r: None : Ms. Andrea Linson-Mgbeoduru, Enforcement Divorcement Division, MC 219, (512) 239-2171 d, President, The Reinforced Earth Company, 8614 ial Officer, The Reinforced Earth Company, 8614 sented by counsel on this enforcement matter	Westwood Center Drive, Suite 1100, Vienna,						

RESPONDENT NAME: The Reinforced Earth Company

DOCKET NO.: 2008-0373-PWS-E

VIOLATION SUMMARY CHART: VIOLATION INFORMATION PENALTY CONSIDERATIONS CORRECTIVE ACTIONS Committee of the contract of t FORD SCHOOL OF BUILDING TAKEN/REQUIRED Page 2 Type of Investigation: Total Assessed: \$1,507 **Corrective Actions Taken:** Complaint X Routine Total Deferred: \$301 The Executive Director recognizes that the ___ Enforcement Follow-up Respondent has implemented the X Expedited Settlement following corrective measures at the ___ Records Review Facility as of March 12, 2008: Financial Inability to Pay Date(s) of Complaints Relating to this Case: None SEP Conditional Offset: \$0 a. Provided Well No. 2 with an intruderresistant fence that includes three strands of barbed wire on the top of the fence and Date of Investigation Relating to this Total Paid to General Revenue: \$1,206 Case: December 10, 2007 a lockable gate; **Site Compliance History Classification** b. Provided water system records: water Date of NOV/NOE Relating to this Case: High X Average Poor production records and monitoring plan; February 22, 2008 (NOE) **Person Compliance History Classification** Background Facts: This was a routine c. Had the backflow prevention assembly __ High __X_Average ___ Poor between the public water system and the investigation. process water tested by a recognized Major Source: ___ Yes _X_ No backflow prevention assembly tester, and WATER certified that the backflow prevention Applicable Penalty Policy: September 2002 assembly is operating within 1) Failure to provide an intruder-resistant specifications: fence or lockable building in order to protect the Facility's well [30 Tex. ADMIN. d. Began maintaining a minimum pressure CODE § 290.41(c)(3)(O)]. of 35 psi at all points within the distribution system; 2) Failure to provide water system records for Commission review at the time of the e. Repaired the leak on the well investigation [30 Tex. ADMIN. CODE § distribution line; 290.46(f)(2)]. f. Began providing a minimum pressure 3) Failure to ensure backflow prevention tank capacity of 220 gallons at the Facility; assemblies which are installed to provide protection against health hazards, are and tested and certified to be operating within specifications at least annually by a g. Established a written protocol that is to recognized backflow prevention assembly be followed to ensure that proper public tester [30 Tex. ADMIN. CODE notification and boil water notices are § 290.44(h)(4)]. provided to customers of the water supply in the event of distribution pressures below 20 psi, water outages, positive 4) Failure to maintain a minimum pressure of 35 pounds per square inch ("psi") at all microbiological samples, low chlorine residuals, or other conditions which points within the distribution system [30 indicate that potability of the water may TEX. ADMIN. CODE § 290.44(d)]. have been compromised. 5) Failure to maintain all distribution system lines, water storage and pressure maintenance facilities, and all related appurtenances in a watertight condition [30 Tex. Admin. Code § 290.46(m)(4)]. 6) Failure to provide a minimum pressure tank capacity of 220 gallons [30 Tex.

ADMIN. CODE § 290.45(d)(2)(A)(ii)].

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RESPONDENT NAME: The Reinforced Earth Company

DOCKET NO.: 2008-0373-PWS-E

7) Failure to institute "Special Precautions" in the event of inadequate chlorine residuals [30 Tex. ADMIN. CODE §§ 290.122(a)(2) and 290.46(q)].	•	
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Additional ID No(s).: PWS ID No. 1550135

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	-	n Worksheet (PCW)	PCW Revision January 29, 2008
Policy Revision 2 (Septen	nber 2002)		PGW Revision January 29, 2000
DATES Assigned	3-Mar-2008		The state of the s
	3-Mar-2008 Screening 3-Mar-2008	EPA Due	
RESPONDENT/FACILITY IN			uni da isan a er Aleaki
Respondent Reg. Ent. Ref. No. R	he Reinforced Earth Company	and the state of 	
Facility/Site Region 9		Major/Minor Source Minor	
Tacility/Site Region	-vvaco	majorimio coarce initia	
CASE INFORMATION	in the state of th		
Enf./Case ID No. 3		No. of Violations 7	
	008-0373-PWS-E	Order Type 1660	
Media Program(s)	ublic Water Supply	Enf. Coordinator Andrea Lins	
Multi-Media	orid Milinian und	EC's Team Enforcemen	t ream z
Admin. Penalty \$ Lir	mit Minimum \$50 Maximum	\$1,000	
	Donalty Calcul	ation Coation	
	Penalty Calcula	anon Section	
TOTAL BASE PENALT	Y (Sum of violation base penaltie	s) Subtotal	1 \$1,450
	ing a state of the		
ADJUSTMENTS (+/-) T	O SUBTOTAL 1		
	d by multiplying the Total Base Penalty (Subtotal 1) by	the indicated percentage. Enhancement Subtotals 2, 3, &	7 \$87
Compliance Histor			γ ψυ/
Notes	Enhancement due to three prior Notices		,
1.6.00	dissimilar violations as those in the curre	ent enforcement action.	
			·21
Culpability	No 0%	Enhancement Subtotal	4\$0
Notes	The Respondent does not meet the	culpability criteria	
Notes	The Respondent does not most the	calpusinty of toria.	
		a no estrogo do missos propastoras com estractivos servi-	5 \$145
Good Faith Effort t		Reduction Subtotal	5 3 143
Extraordinary	Before NOV NOV to EDPRP/Settlement Offer		
Ordinary			
N/A	(mark with x)		
	71 5	Marata 40, 0000	
Notes	The Respondent returned to compliane	ce on March 12, 2008.	
- 10 - 10 - 10 - 10 - 10 - 10 - 10 - 10		and the second s	
	and the contract of the case of form the contract of the case of 	Enhancement* Subtotal	6\$0
	otal EB Amounts \$162 *Capped ost of Compliance \$2,760	at the Total EB \$ Amount	
д ден ден ден ден ден ден ден ден ден де	φ <u>z,</u> 7 σσ		
SUM OF SUBTOTALS	1-7	Final Subtota	\$1,392
	i de la filia de la companya de la companya de la persona de la companya de la persona		
OTHER FACTORS AS	JUSTICE MAY REQUIRE	8% Adjustmer	nt \$115
Reduces or enhances the Final Sub		した。場合所は特別的は、またしまりはおけられます。 はかい でんしょう	
•			
Notes	Enhancement recommended to recover av	oided costs of compliance.	
			64.507
		Final Penalty Amour	st \$1,507
			¢1 507
STATUTORY LIMIT AD	JUSIMENI	Final Assessed Penalt	y \$1,507
			¢204
DEFERRAL		20% Reduction Adjustmer	-\$301
Reduces the Final Assessed Penali	ty by the indicted percentage. (Enter number only; e.g	. 20 for 20% reduction.)	
Notes	Deferral offered for expedited	settlement.	
140169	Bolonal offorda for expeditor		
PAYABLE PENALTY			\$1,206

Screening Date 3-Mar-2008

Docket No. 2008-0373-PWS-E

Respondent The Reinforced Earth Company

Policy Revision 2 (September 2002) PCW Revision January 29, 2008

Case ID No. 34583

Reg. Ent. Reference No. RN101237972

Media [Statute] Public Water Supply

	ry <i>Site</i> Enhancement (Subtotal 2) Number of	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	3	6%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denia of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission		0%
Judgments			0%
and Consen Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government		0%
Convictions		0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)		0%
4 1	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
	Plea	se Enter Yes or No	
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
Other	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
***************************************	Adjustment P		
Repeat Violator (S	ubtotal 3)		
N	Adjustment P	Percentage (Su	ıbtotal 3) [
Compliance Histor	ry Person Classification (Subtotal 7)	6 7	
Average I		lavaantawa (Cr	.h4-4-1 7\
			
Compliance Histor	y Summary	with Appaged to	Min grand disea.
Compliance History Notes	Enhancement due to three prior Notices of Violation containing dissimilar violations as those enforcement action.	e in the current	

Scre	ening Date	3-Mar-2008		Docket No). 2008-0373-PWS-E	PCW
	-		I Earth Company			Policy Revision 2 (September 200.
	Case ID No.					PCW Revision January 29, 200
Reg. Ent. Ref						
		Public Water S				
		Andrea Linson	·Mgbeoduru			
VIOI	ation Number					
	Rule Cite(s)		30 Tex. Adm	in. Code § 290.	.41(c)(3)(O)	
Violation	n Description	Facility's well.	Specifically, at the time	e of the investig	able building in order to p pation, it was documented building surrounding Well	that there
	•				Bas	se Penalty \$1,00
>> Environmental	Property a	nd Human F	lealth Matrix	S. Colonia P.	1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	
// Cilvironinientai	, i loperty a	ina mamam	Harm	Paragraphic Control of the Control o		
	Release	Major	Moderate Minor			
OR	Actual Potential	X			Percent 25%	
>>Programmatic l	Matrix					
>>Programmatic i	Falsification	Major	Moderate Minor	sum Belanah da basig. T	113 - 134	
					Percent 0%	
12 H 188 12	L				<u> </u>	*
Matrix Notes	enter and da	mage or vanda lequate water s	lize the system which	may compromise customers to	may allow unauthorized p se the system's ability to a significant amount of p iman health.	provide a 🏻
	and the second second				A.11. [24.1.1.24]	\$750
o de constabilitation de la constabilitation	Maria de Caración	reddo.		Of Selling Seeman	Adjustment	<u> </u>
						\$25
STREET, FERRIT SERVICE STREET,				al and a second		
Violation Events	CONTRACTOR		cyclocal difference	and take the second of 9750	15.50 English (15.50)	
	Number of Vic	lation Events	3	84	Number of violation da	vs
	rambor or vic	nation Evolution		L		,-
		daily				
		monthly	X			(57/
	mark only one with an x	quarterly			Violation Bas	se Penalty \$75
	With all X	semiannual annual				
	. 1	single event				
		onigio oroni				
	Three month	nly events are re	ecommended, from the the screening dat		vestigation, December 10 08.	, 2007, to
Economic Benefi	t (EB) for th	is violation	THOMAS STATES ST	La general de la general d La general de la general d	Statutory Limit Te	ist
	Fetimator	d EB Amount		\$18	Violation Final Per	nalty Total \$77
	Latinate	Z ED AIIIOUIII		**************************************		
		enviana e e e e e	This violat	ion Final Asse	essed Penalty (adjusted	for limits) \$77

Violation No.	Public Water S	upply	. ' */ 18 59:	na ribogni ca a riva		Percent Interest	Years of Depreciation
					dar Charle Pheni	5.0	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amoun
Item Description	No commas or \$	Coste & 250.4 km	nathy xof G			(apolitic district	
Delayed Costs		Janes against the Contact Burger	adinaria kut 7. dpajekalika		lakal gyet er i 1914 Gweletin og 1914		
Equipment	\$1,000	10-Dec-2007	12-Mar-2008	0.3	\$1	\$17	\$18
Buildings	فيضيل ويجيب والمتخبين	Reference and an exercise	Pression Same Language, as	0.0	\$0	\$0	\$0
Other (as needed)	Sant to be proper to be	16.15489999	بالتحديث بالمداد	0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land		Cathanna Liste Carson		0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	La carrie de la ca			0.0	\$0	n/a	\$0
							\$0
Remediation/Disposal				0.0	\$0	u.u. n/a	
Remediation/Disposal Permit Costs				0.0	\$0	n/a	\$0
Remediation/Disposal Permit Costs Other (as needed)	The delayed o	cost includes the ar		0.0 0.0 ntruder-	\$0 \$0 resistant fence. Ti	n/a n/a ne date required is the	\$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs			date. The final dat	0.0 0.0 ntruder- e is the	\$0 \$0 resistant fence. Ti date of complianc	n/a n/a ne date required is the.	\$0 \$0 ne investigatio
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs			date. The final dat	0.0 0.0 ntruder- e is the	\$0 \$0 resistant fence. Ti date of complianc item (except for	n/a: n/a ne date required is the. one-time avoided c	\$0 \$0 ne investigatio
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal			date. The final dat	0.0 0.0 ntruder- e is the ntering 0.0	\$0 \$0 resistant fence. Ti date of complianc item (except for \$0	n/a: n/a ne date required is the. one-time avoided c	\$0 \$0 ne investigatio
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel			date. The final dat	0.0 0.0 ntruder- e is the ntering 0.0 0.0	\$0 \$0 resistant fence. The date of compliance item (except for \$0 \$0	n/a: n/a ne date required is the. one-time avoided co	\$0 \$0 ne investigatio osts) \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling			date. The final dated	0.0 0.0 ntruder- e is the ntering 0.0 0.0	\$0 \$0 resistant fence. Ti date of complianc item (except for \$0 \$0	n/a: n/a n/a ne date required is the. one-time avoided c \$0 \$0 \$0 \$0	\$0 \$0 ne investigatio
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment			date. The final dat	0.0 0.0 ntruder- e is the ntering 0.0 0.0 0.0	\$0 \$0 resistant fence. The date of compliance item (except for \$0 \$0 \$0 \$0	n/a n/a n/a ne date required is the. so s	\$0 \$0 ne investigatio
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]			date. The final dated	0.0 0.0 ntruder- e is the ntering 0.0 0.0 0.0	\$0 \$0 resistant fence. Ti date of compliance item (except for) \$0 \$0 \$0 \$0 \$0	n/a n/a ne date required is the. one-time avoided c \$0 \$0 \$0 \$0	\$0 \$0 ne investigation osts) \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]			date. The final dated	0.0 0.0 ntruder- e is the ntering 0.0 0.0 0.0 0.0	\$0 \$0 resistant fence. The date of compliance item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a ne date required is the e. one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 osts) \$0 \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]			date. The final dated costs before e	0.0 0.0 ntruder- e is the 0.0 0.0 0.0 0.0 0.0	\$0 \$0 resistant fence. Ti date of complianc item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a ne date required is the. one-time avoided c \$0 \$0 \$0 \$0	\$0 \$0 ne investigation osts) \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]			date. The final dated	0.0 0.0 ntruder- e is the 0.0 0.0 0.0 0.0 0.0	\$0 \$0 resistant fence. Ti date of complianc item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a ne date required is the e. one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 osts) \$0 \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]			date. The final date	0.0 0.0 ntruder- e is the ntering 0.0 0.0 0.0 0.0	\$0 \$0 resistant fence. The date of compliance item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a ne date required is the e. one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$6 \$

Screening Da	te 3-Mar-2008	Oocket No. 2008-0373-PWS-E	PCW
Responde	nt The Reinforced Earth Company	Pol	licy Revision 2 (September 2002)
Case ID N	o. 34583		PCW Revision January 29, 2008
Reg. Ent. Reference N	o. RN101237972		
Media [Statu	e] Public Water Supply		
Enf. Coordina	or Andrea Linson-Mgbeoduru		
Violation Num	per 2		
Rule Cité	(s) 30 Tex Admin	. Code § 290.46(f)(2)	
Violation Descript	Failed to provide water system record investigation. Specifically, at the time of system's water production records a	ds for Commission review at the time of the the investigation, it was documented that the theorem of the theore	
>> Environmental, Proper	y and Human Health Matrix	Base Pen	\$1,000
₩## ### ### ### ### ##################	Harm I se Major Moderate Minor		
Relea OR Ac	use Major Moderate Minor		
Poter		Percent 0%	
]	
>>Programmatic Matrix			
Falsificat	on Major Moderate Minor	na strakturation i endiga	
	x	Percent 5%	
Matrix Notes	The Respondent failed to meet 30 ^t	% of the rule requirement.	
		S 20 2 3 3 3 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4	950
	Actions of District States and Control of the Contr	Adjustment \$	950
			\$50
		·	
Violation Events	almites 2	en district Office (1212) and Crain Postsonia	
Number o	Violation Events 1	84 Number of violation days	•
	daily	1	
mark auto	monthly quarterly	Violation Base Pen	alty \$50
mark only o	semiannual	7101411011 2400 1 011	
	annual		
	single event x		
	Minding and an artist of the second s		
	One single event is re	ecommended.	
Economic Benefit (EB) for	this violation	Statutory Limit Test	
Estim	ated EB Amount \$2	Violation Final Penalty T	otal \$52
		•	
	This violation	r Final Assessed Penalty (adjusted for lin	nits) \$52

	and August 19 nE	conomic I	Benefit W	orks	sheet		
Respondent	The Reinforced	Earth Company				100	
Case ID No.	34583						
Reg. Ent. Reference No.	RN101237972						
	Public Water S	inaly				Lancier transportant del	Years of
Violation No.		арріу				Percent Interest	Depreciation
violation ino.	. 4		The second second	anggagas)	nga-augstryaustry	E Sidde Lillians of	. BITC CC
					y cathy carein	5.0	1:
		Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$	Davideleleteti	Minney Dayling				
Delayed Costs		1900 PS - TAY, DEPLOY					
Equipment				0.0	\$0	\$0	\$0
Bulldings			TO SEE THE SECOND	0.0	\$0	. \$0	\$0
Other (as needed)	\$100	10-Dec-2007	12-Mar-2008	0.3	\$0	\$2	\$2
Engineering/construction		configuration.	TIE MIGHTEUS OF	0.0	\$0	\$0	\$0
Land			inti in the state of the state	0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	Atatophanemetrical constraint			0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
						And the second s	
Other (as needed)	The delayed o	osts include the ar	nount to organize	<u> 0.0 </u>	\$0 jih maintaining a re	n/a ecord keeping system	\$0 n that includes
Notes for DELAYED costs	but is not limit	ed to water produc	tion records, and The final date	and beg a monito is the da	in maintaining a re oring plan. The dat te of compliance.	ecord keeping syster e required is the inve	n that includes estigation date.
Notes for DELAYED costs Avoided Costs	but is not limit	ed to water produc	tion records, and The final date	and beg a monito is the da	in maintaining a re oring plan. The dat te of compliance. Item (except for	ecord keeping system e required is the inve one-time avoided c	n that includes estigation date.
Notes for DELAYED costs Avoided Costs Disposal	but is not limit	ed to water produc	tion records, and The final date	and beg a monito is the da entering	jih maintaining a re ring plan. The dat te of compliance. item (except for \$0	ecord keeping syster e required is the inve one-time avoided o	n that includes estigation date.
Notes for DELAYED costs Avoided Costs Disposal Personnel	but is not limit	ed to water produc	tion records, and The final date	and beg a monito is the da entering 0.0	in maintaining a rering plan. The datate of compliance. item (except for \$0 \$0 \$0	ecord keeping systel e required is the inve one-time avoided of \$0 \$0	n that includes estigation date.
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	but is not limit	ed to water produc	tion records, and The final date	and beg a monito is the da entering 0.0 0.0	in maintaining a reving plan. The datate of compliance. item (except for \$0 \$0 \$0 \$0	ecord keeping systems one-time avoided of \$0 \$0 \$0	m that includes estigation date.
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	but is not limit	ed to water produc	tion records, and The final date	and beg a monito is the da entering 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0	ecord keeping syster e required is the involved one-time avoided of \$0 \$0 \$0 \$0	m that includes estigation date. sosts) \$0 \$0 \$0 \$0
Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2]	but is not limit	ed to water produc	tion records, and The final date	and beg a monito is the da entering 0.0 0.0 0.0 0.0	in maintaining a repring plan. The date to of compliance. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ecord keeping systems required is the involved cone-time avoided c	n that includes estigation date. sosts) \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	but is not limit	ed to water produc	tion records, and The final date	and beg a monito is the da entering 0.0 0.0 0.0 0.0 0.0	in maintaining a repring plan. The datate of compliance. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ecord keeping syster e required is the involved cone-time avoided cone-time avoided cone-time so	n that includes estigation date. sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	but is not limit	ed to water produc	tion records, and The final date	and beg a monito is the da entering 0.0 0.0 0.0 0.0	in maintaining a repring plan. The date to of compliance. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ecord keeping systems required is the involved cone-time avoided c	n that includes estigation date. sosts) \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	but is not limit	ed to water produc	tion records, and The final date	and beg a monito is the da entering 0.0 0.0 0.0 0.0 0.0	in maintaining a repring plan. The datate of compliance. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ecord keeping syster e required is the involved cone-time avoided cone-time avoided cone-time so	n that includes estigation date. sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	but is not limit	ed to water produc	tion records, and The final date	and beg a monito is the da entering 0.0 0.0 0.0 0.0 0.0	in maintaining a repring plan. The datate of compliance. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ecord keeping syster e required is the involved cone-time avoided cone-time avoided cone-time so	n that includes estigation date. sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Scre	ening Date	3-Mar-2008		D	ocket No. 200	8-0373-PW	S-E	PC	:W
R	espondent	The Reinforce	ed Earth Com	oany			Po	olicy Revision 2 (September	2002)
C	Case ID No.	34583						PCW Revision January 29,	, 2008
Reg. Ent. Ref	erence No.	RN10123797	2						
Med	ia [Statute]	Public Water	Supply						
Enf. C	coordinator	Andrea Linso	n-Mgbeoduru						
	ation Number	3			•	ż			
	Rule Cite(s)		2	O Tay Admin	Code § 290.44(h)	\//\			
Violation	n Description	protectio specification Specifica	ensure backfl n against heal ns at least anr lly, at the time sembly install	low prevention th hazards, are nually by a reco of the investig ed between the	assemblies, whice tested and certifugnized backflow ation, it was docue public water sys in the past twelve	ch are install fied to be op prevention a umented that stem and the	erating within assembly test t the backflow	ter. v vater	1,000
>> Environmental	, Property a	nd Human	Health Mat	rix		and the same of the same of	n. zekan		
	Release	Major	Moderate	Minor			200		
OR	Actual								
	Potential	Х			Per	cent	25%		
		ent companions at the	en promoner managent i green						
>>Programmatic I	the separate programme and the separate programm								
ľ	Falsification	Major	Moderate	Minor	_				
					Per	cent	0%		
Matrix Notes	Failure to ens significant an	ure that backl nount of conta	low prevention minants to en	n assemblies a ter the water sy human heal	re operating withi ystem which woul th.	in specificati ld exceed le	ions could allovels protectiv	ow a e of	TOTAL AND
aga managasa salah 1	- Secretary and Marine		SECTION OF THE	147	Adjus	stment	(\$750	
									<u> </u>
									\$250
Violation Events	Number of Vio				366 Nur	mber of viola	ation days		
	mark only one with an x	daily monthly quarterly semiannual					ion Base Per	nalty	\$250
	One annual	annual single event	x nmended, for	the twelve mor	nths prior to the in	nvestigation	date, Decem	ber	AND REPORTED THE PERSON OF THE
Economic Benefit	(EB) for th	s violation	100	The property of the second	Prediction Sta	atutory Li	mit Test		2,32
	Estimated	EB Amount		\$105	,	Violation Fi	nal Penalty 1	Γotal	\$260
-			<u> </u>				_		
	on the consideration of the first term			This violation	Final Assessed	Penalty (ad	ljusted for lir	mits)	\$260

	and col	conomic	Benefit W	orks	heet	a elek apar	
Respondent	The Reinforced	Earth Company			Ar		
Case ID No.	34583					. * a	
Reg. Ent. Reference No.	RN101237972					No. 1. 1.	
Media Violation No.	Public Water S	upply				Percent Interest	Years of Depreciation
violation No.	3			ничера	Sprigostra rastor	5.0	Depressation 15
	Item Cost	Date Required	Final Date	Vre	Interest Saved	Onetime Costs	EB Amount
Item Description			Landba at 1		interest bayea		LD Allouit
tom bosonpaon	тчо солина ог ф						
Delayed Costs_		a parametri di	igh distribution		BREST CONT. TREES OF THE STATE	i I	
Equipment [<u>iensuumasiru</u>	E444 E77 E475 44 8965	0.0	\$0	\$0	\$0
Bulldings				0.0	\$0	\$0	\$0
Other (as needed)			pireless in a co	0.0	\$0	\$0	\$0
Engineering/construction	الباعيين المختلونييس	المتفيدات المتحاليات المتحاليات		0,0	\$0	\$0	\$0
Land			- in the second second	0.0	\$0	n/a	\$0
Record Keeping System				0,0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs Other (as needed)				0.0	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs			porabl general a	operation operation		sadija Dragiji	
- LANGER MINIST	Programme Linear	<u> </u>	larasa ka je . l				
Avoided Costs	ANN	IUALIZE [1] avoid	ed costs before e		Contract to the second contract of the second	one-time avoided c	the second secon
Disposal				0.0	\$0	\$0	\$0
Personnel	4100	70 5 0000	10.5	0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling	\$100	10-Dec-2006	10-Dec-2007	1.0	\$5	\$100	\$105
Supplies/equipment				0,0	\$0	\$0	\$0
Financial Assurance [2]	Secretaria de la composición della composición d		فنصاب مساونات ما منظله	0,0	\$0	\$0	\$0 00
ONE-TIME avoided costs [3]		de la continue de la		0.0	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)		Heisi	<u> Limited and a communication of the communication </u>	<u> U.U </u>	<u>δ</u> υ	I DU I	<u> </u>
	The avoided	cost includes the a	mount to annually			on assembly, calcula	ated for the 12
Notes for AVOIDED costs	Thouvoidod		nth period proceed	ling the d	date of the investion	jation.	

Screening Date	e 3-Mar-2008	Docket I	No. 2008-0373-PWS-E	PCW
Responder	nt The Reinforced Earth Cor	mpany		Polícy Revision 2 (September 2002)
Case ID No	o. 34583			PCW Revision January 29, 2008
Reg. Ent. Reference No	o. RN101237972			
Media [Statute	Public Water Supply			THIRM
	or Andrea Linson-Mgbeodur	u	•	п
Violation Numb				
Rule Cite(s)	30 Tex. Admin. Code §	290.44(d)	
t				
Violation Description	on within the distribution	system. Specifically, at the	ds per square inch ("psi") at a ne time of the investigation, it the Main Office indicated 21	was
			Base	Penalty \$1,000
>> Environmental, Property		atrix	enterangan atau atau atau wanna kawanaka atau atau ka	
Releas	Harm se Major Moderate	Minor		
OR Actu				• .
Potent	al x		Percent 10%	
2005-2005 (1 million) 2007-2005 (1 million) 2007-2007 (1 million) September 2004-2004 (2 million)	nta Hinnasanan kanangan di Kababatan di Kababatan di Kababatan di Kababatan di Kababatan di Kababatan di Kabab	SECTION OF THE STATE OF THE SECTION	uri Aprilia	
>>Programmatic Matrix	n Major Moderate	Minor		
Falsification	n Major Moderate	Minor	Percent 0%	
			7 070	
Matrix distribution	on system may result in back	flow problems and expose	ressure of 35 psi throughout to e customers of the water supp els protective of human health	ly to a
			Adjustment	\$900
A CONTRACTOR OF THE CONTRACTOR				\$100
Violation Events	Bako Manto en Naso albert		To Selfadion	
us es esc. inc. a.	Sina Sen da sali katang Kanganara da Ma			***************************************
Number of '	Violation Events 1	84	Number of violation days	·
•	Sziginiski de a zacielo Cwicia			
	daily			
mark only on	monthly quarterly x		Violation Base	Penalty \$100
with an x	semiannual		Violation Baco	· Online
	annual			·
	single event			
		·············		· ·
One quar		from the date of the inve	stigation, December 10, 2007 8.	, to the
Economic Benefit (EB) for	this violation		Statutory Limit Tes	
Estima	ted EB Amount	\$3	Violation Final Penal	Ity Total \$104
LStilla	tou ED Amount			
		This violation Final As	sessed Penalty (adjusted fo	r limits) \$104

	SEASON AND AND AND AND THE	conomic i	3enefit W	orks	sheet	F SHAWAS YEAR	
Respondent	t The Reinforced	Earth Company					
Case ID No		,,					
Reg. Ent. Reference No							
	Public Water S	unnly				*************	Years of
Violation No		ирріу				Percent Interest	Depreciation
Violation No	. 4			Mark Care.	CONTRACTOR STATE	هيد والمه الولد فالماك م	N Bullion
					The product of the second of	5,0	1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	n No commas or \$	strouppe 2 statute l	MINDALKET OS			- demonstrate	
2 2 2 2 4 m € 1 m m	2.72						
Delayed Costs	Sili V (Albignia)				s je nastrili i i i		
Equipment	\$150	10-Dec-2007	12-Mar-2008	0.3	\$0	\$3	\$3
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	11 July 18 18 18 18 18 18	graph to the company	proceedings of the design	0,0	\$0	\$0	\$0
Engineering/construction			Tale Caretti In the Confer	0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System			7	0.0	\$0	n/a	\$0
Training/Sampling	. ,			0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	The delayed co	st includes the amo	ount to adjust pres][0.0 suré se	\$0 Itings. The date re	n/a	\$0 gation date. T
Notes for DELAYED costs	<u> </u>		final date is t	suré sel he date	ltings. The date re of compliance.	equired is the investi	gation date. Ti
Notes for DELAYED costs Avoided Costs	<u> </u>		final date is t	sure sel he date	ttings. The date re of compliance.	equired is the investi	gation date. Ti
Notes for DELAYED costs Avoided Costs Disposal	<u> </u>		final date is t	sure sel	ttings. The date re of compliance!	equired is the investion	gation date. Ti
Notes for DELAYED costs Avoided Costs Disposal Personnel	<u> </u>		final date is t	sure sel	itings. The date re of compliance.	equired is the investione-time avoided constitution \$0	gation date. Ti
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	<u> </u>		final date is t	sure sel	itings. The date re of compliance. It item (except for \$0 \$0	equired is the investione-time avoided of \$0 \$0 \$0	gation date. Ti
Notes for DELAYED costs Avoided Costs Disposal Personnel	<u> </u>		final date is t	sure sel	itings. The date re of compliance.	equired is the investione-time avoided constitution \$0	gation date. To
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	<u> </u>		final date is t	sure set he date ntering 0.0 0.0 0.0 0.0	itings. The date re of compliance!// item (except for \$0 \$0 \$0	one-time avoided o	gation date. Ti
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	<u> </u>		final date is t	ntering 0.0 0.0 0.0 0.0 0.0	itings. The date re of compliance!// item (except for \$0 \$0 \$0 \$0 \$0	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	gation date. Ti
Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	<u> </u>		final date is t	ntering 0.0 0.0 0.0 0.0 0.0 0.0	itings. The date re of compliance!// item (except for \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	gation date. Ti
Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	<u> </u>		final date is t	ntering 0.0 0.0 0.0 0.0 0.0 0.0	itings. The date re of compliance!// item (except for \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	gation date. Ti
Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	<u> </u>		final date is t	ntering 0.0 0.0 0.0 0.0 0.0 0.0	itings. The date re of compliance!// item (except for \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	gation date. Ti
Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	<u> </u>		final date is t	ntering 0.0 0.0 0.0 0.0 0.0 0.0	itings. The date re of compliance!// item (except for \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	gation date. Ti
Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	<u> </u>		final date is t	ntering 0.0 0.0 0.0 0.0 0.0 0.0	itings. The date re of compliance!// item (except for \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	gation date. Ti
Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	<u> </u>		final date is t	ntering 0.0 0.0 0.0 0.0 0.0 0.0	itings. The date re of compliance!// item (except for \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	gation date. TI costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$

Screen	ing Date	3-Mar-2008			Docket No	o. 2008-0373-	PWS-E		PCW
Res	pondent	The Reinforced	Earth Comp	oany				Policy Re	vision 2 (September 2002)
Cas	se ID No.	34583						PCW.	Revision January 29, 2008
Reg. Ent. Refere	ence No.	RN101237972							
Media	[Statute]	Public Water Su	ıpply						
Enf. Cod	ordinator	Andrea Linson-i	Mgbeoduru						
	n Number	5							
R	ule Cite(s)		3	0 Tex. Admin	. Code § 290	0.46(m)(4)			
Violation D	escription	Failed to mainta facilities, and al of the investig	II related appation, it was	purtenances i documented	in a watertigl I that there is		pecifically, at point where t	the time	
>> Environmental, P	roperty a	nd Human H	ealth Mat	rix			Base	Penalty [\$1,000
	o i ilo Mariati, belle (1877)		Harm	.e	an and marking in 1904/64	eneman a sessa ng 1900 sesa priktiliki.			
	Release	Major	Moderate	Minor	71				
OR	Actual					Dawaant T	400/		
\$ \$ \$ \$ 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4	Potential	<u> </u>	X[1	Percent	10%		
>>Programmatic Ma	trix alsification	Major	Moderate	Minor		Percent [0%		
Matrix Notes	ailure to ma water supp	aintain all related ly to a significar	l appurtenar at amount of	nces in a wate contaminant human hea	s which wou	tion could expo	ose customer levels protect	s of the ive of	
erina da seria de la composição de la comp La composição de la compo	et beneda jeda 1	aros kaja ekstraliji.	i and the			Adjustment		\$900	Į.
SHENER SESSION COMMENTS OF THE RESERVE OF THE SES		om 1991. Til die beschieben beschieben 1812.	Opt 1910 in John 1881 in		u da Primadokio i 166 GPs				
									\$100
Violation Events	arajar Alekiya Sangarasa		ort. Maria de la Santa	201461275		walanda kina di 1900 i	eras et		
Nu	mber of Vio	lation Events	1		84	Number of	violation days	;	
	nark only one with an x	daily monthly quarterly semiannual annual	X			and the second s	olation Base	,	\$100
		single event							
	One quarter	ly event is recon		om the date on			nber 10, 2007	, to the	
Economic Benefit (E	EB) for thi	is violation				Statutory	/ Limit Tes	t de medicie	
	Estimated	I EB Amount		· \$7	7	Violatio	n Final Pena	Ity Total ☐	\$104
					, .			-	
			Presidenti prototomica	This violation	n Final Asso	essed Penalty	(adjusted fo	r limits)	\$104

· .	- ((V) - (-) E	conomic	Benefit W	orks	sheet	$\mathcal{A}_{k}^{*} = \{ \{ \{x_{k}^{*} \}_{k}^{*} \} \mid \{x_{k}^{*} \}_{k}^{*} \} \in \mathcal{X}_{k}^{*} \}$	e të
Responder	nt The Reinforced	Earth Company					
Case ID No	o. 34583					•	
Reg. Ent. Reference No	o. RN101237972						24.4
	ia Public Water Su	ylagu					Years of
Violation No						Percent Interest	Depreciation
Violation in	0. 3			MUDJEH	үрингийн кантай <mark>жага</mark>		a station of
		C Sit pari di anno 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		High Joh		5.0	15
	Item Cost	Date Required		Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	on No commas or \$	militario (2004)	30 Tex. Admin (. 11314	
· · · · · · · · · · · · · · · · · · ·							
Delayed Cost	ts	The second second			Applitude of		
Equipment		10-Dëc-2007	12-Mar-2008	0.3	\$0	\$7	\$7
Buildings		Date of California C	a asaan aa	0,0	\$0	\$0	\$0
Other (as needed)		าได้ ราย เห็นสมัยเป		0.0	\$0	\$0	\$0
Engineering/construction		ALL LANGUE MORE	Smithten skyre or tall.	0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a,	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0,0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				,,0.0,	\$0	, n/a	\$0
				20042	1		
Notes for DELAYED costs Avoided Cost		the inve	estigation date. The	e final da entering	ite is the date of co	one-time avoided c	osts)
Avoided Cost	ts Ann	the inve	estigation date. The	e final da	ite is the date of co	ompliänce. one time avoided c	osts) \$0
Avoided Cost Disposal Personnel	ts Ann	the inve	estigation date. The	entering	ite is the date of co	ompliähee. one-time avoided c \$0 \$0	osts) \$0 \$0
Avoided Cost Disposal Personnel Inspection/Reporting/Sampling	ts ANN	the inve	estigation date. The	e final da entering 0.0 0.0 0.0	ite is the date of co	ome time avoided c \$0 \$0 \$0	sosts) \$0 \$0 \$0
Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	ts ANN	the inve	estigation date. The	e final da entering 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0	one time avoided of \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2]	ts ANN	the inve	estigation date. The	e final da	ite is the date of co	one time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	ts Ann	the inve	estigation date. The	e final da entering 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0	one time avoided of \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2]	ts Ann	the inve	estigation date. The	entering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0	ite is the date of co	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	ts Ann	the inve	estigation date. The	entering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0	ite is the date of co	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	ts Ann	the inve	estigation date. The	entering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0	ite is the date of co	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	ts Ann	the inve	estigation date. The	entering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0	ite is the date of co	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	ts Ann	the inve	estigation date. The	entering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0	ite is the date of co	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	ts Ann	the inve	estigation date. The	entering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0	ite is the date of co	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	ts Ann	the inve	estigation date. The	entering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0	ite is the date of co	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Scree	ening Date 3-N	Лar-2008			Docket N	lo. 2008-037	73-PWS	5-E	*******		PCW
Re	espondent The	e Reinforce	d Earth Com	pany					Policy R	evision 2 (Septe	mber 2002)
3	ase ID No. 345								PCW	Revision Janua	ry 29, 2008
Reg. Ent. Refe											
	a [Statute] Pu										
	oordinator An		-Mgbeoduru								
	tion Number	6									
VI	Rule Cite(s)		30	Tex. Admin. 0	Code § 290.	.45(d)(2)(A)(ii) .				
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Approx. Cost of Compliance \$1,000 TOTAL \$1								
Approx. Cost of Compliance \$1,000 TOTAL \$1				· · · · · · · · · · · · · · · · · · ·				

Screening Date	3-Mar-2008 Docket No. 2008-0373-PWS-E	PCW
Respondent	The Reinforced Earth Company Policy	Revision 2 (September 2002)
Case ID No.		CW Revision January 29, 2008
Reg. Ent. Reference No.	RN101237972	
	Public Water Supply	
E CONTRACTOR CONTRACTO	Andrea Linson-Mgbeoduru	•
Violation Number		- 1
Rule Cite(s)	30 Tex. Admin. Code §§ 290.122(a)(2) and 290.46(q)	
Violation Description	Failed to institute "Special Precautions" in the event of inadequate chlorine residuals. Specifically, at the time of the investigation, it was documented that the water system failed to issue a boil water notice after an occurance that documented a chlorine residu below 0.5 milligrams per liter on October 31, 2007.	al
	Base Penals	y \$1,000
>> Environmental, Property	and Human Health Matrix	
> Liviloinile Ital; r Toperly	Harm	
Release		·
OR Actua		
Potentia	Percent 0%	
>>Programmatic Matrix		
Falsification	Major Moderate <u>Minor</u>	
	X Percent 10%	
		
Matrix Notes	The Respondent failed to meet 100% of the rule requirement.	
	Adjustment \$90	00
		\$100
		Ψ100
Violation Events		**************************************
######################################		
	1 Number of violation days	
	1430 A300 W	
	daily monthly	
mark only one	quarterly Violation Base Penal	ty \$100
with an x	semiannual	
-	annual	
	single event x	
	One single event is recommended.	
Economic Benefit (EB) for the	is violation Statutory Limit Test	Agrical Paris
 and the last of the distribution of the distribution	ning distrings das International Action and Commissional Action and Administration of the Action of	
Estimate	d EB Amount \$10 Violation Final Penalty Tot	al \$104
	This violation Final Assessed Penalty (adjusted for limit	s) \$104

	araiPWS-E	Economic	Benefit W	orks	sheet	ed wie Grip I te.	
Respond	lent The Reinforce	ed Earth Company				tan tan tan tan tan	
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	edia Public Water						Years of
Violation		o app.,				Percent Interest	Depreciation
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La				0.0	\$0	n/a	\$0
Record Keeping Syste	em l			0.0	\$0	n/a	\$0
Training/Sampli				0.0	\$0	n/a	\$0
Remediation/Dispos				0.0	\$0	n/a	\$0
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Other (as neede	ed)		and the second	1,0.07	\$0	intercolon/a	\$0
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Notes for DELAYED cos	sts		Miran	บรรษท	\$14 (10 _[40])	4-115-74-76	
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Supplies/equipme				0.0	\$0	\$0	\$0
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ONE-TIME avoided costs	• "		At he had a second and	0.0	\$0	\$0	\$0
Other (as neede	` " 	31-Oct-2007	1-Nov-2007	0.0	\$0	\$10	\$10
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	The avoided	d costs include the a	mount necessary t	o provid	e all customers of	the water supply will	th a proper boil
Notes for AVOIDED cos	sts water notific	cation. The date req	uired is the date the	e boll wa	ter notice should I	nave been issued. T	he final date is
	and the second	the end of the	24 hour period in	which th	e boil water notice	was not issued.	
	Linear Landson and Company of the				<u> </u>		
		21 1 2 2	-			Pro-	
Approx. Cost of Complian	ce	\$10			TOTAL		\$1
			-				

Compliance History

Custome	er/Respondent/Owner-Operator:	CN600675979	The Reinforced Earth Comp	pany	Classification: AVERAGE	Rating: 0.30
Regulate	ed Entity:	RN101237972	REINFORCED EARTH CO)	Classification: AVERAGE	Site Rating: 0.30
ID Numb	per(s):		CE PERMITS	REGISTRAT PERMIT PERMIT ACCOUNT N AFS NUM		1550135 TXG110348 54244 MBA002B 4830900055
Location	: 		O RD, NEAR WACO, MCLENN		Rating Date: September 01	
TCEQ R	Region:	REGION 09 - WA	СО			, , , , , , , , , , , , , , , , , , , ,
Date Co	mpliance History Prepared:	March 03, 2008				
Agency	Decision Requiring Compliance History:	Enforcement				
Complia	nce Period:	March 03, 2003 to	March 03, 2008		1	
TCEQ S	Staff Member to Contact for Additional Info	rmation Regarding t	his Compliance History			·
Name:	Andrea Linson-Mgbeoduru		one: 512-239-1482			
3. If Yes	here been a (known) change in ownership i, who is the current owner? s, who was/were the prior owner(s)?	or the site during th	е соптриансе репост	No N/A N/A		<u>.</u>
5 Whei	n did the change(s) in ownership occur?			N/A		-
	onents (Multimedia) for the Site :			19/74		
A.	Final Enforcement Orders, court judger	ments, and consent	decrees of the state of Texas	and the federal o	overnment.	
	N/A					
В.	Any criminal convictions of the state of N/A	Texas and the feder	al government.			
C.	Chronic excessive emissions events.					
	N/A					
D.	The approval dates of investigations. (Control of the proval dates of investigations.) 1 04/29/2003 (332016) 2 04/29/2003 (332017) 3 04/29/2003 (332018) 4 02/11/2004 (332019) 5 02/11/2004 (332020) 6 02/11/2004 (332021) 7 05/20/2004 (369915)	CCEDS Inv. Track. N	lo.)			

8 05/20/2004

9 05/20/2004 10 11/15/2004

11 11/15/2004

12 11/15/2004

13 03/02/2005

14 03/02/200515 03/02/2005

16 06/01/2005

17 06/01/2005

18 06/01/2005

19 06/01/2005

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                       (591396)
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        06/13/2007
                       (591397)
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        06/13/2007
                        (591398)
    40
        09/27/2007
                        (606652)
        09/27/2007
                        (606653)
    42 02/26/2008
                       (611421)
Written notices of violations (NOV). (CCEDS Inv. Track. No.)
      Date: 02/29/2004
                             (369916)
      Self Report?
                                                                           Classification:
                                                                                           Moderate
                        30 TAC Chapter 305, SubChapter F 305.125(1)
      Citation:
                        TWC Chapter 26 26.121(a)
      Description:
                        Failure to meet the limit for one or more permit parameter
      Date: 10/31/2006
                            (591399)
      Self Report?
                                                                           Classification:
                                                                                           Moderate
      Citation:
                        30 TAC Chapter 305, SubChapter F 305.125(1)
                        TWC Chapter 26 26.121(a)
      Description:
                        Failure to meet the limit for one or more permit parameter
      Date: 03/31/2007
                             (591397)
      Self Report?
                     YES
                                                                           Classification:
                                                                                           Moderate
                        30 TAC Chapter 305, SubChapter F 305.125(1)
      Citation:
                        TWC Chapter 26 26.121(a)
      Description:
                        Failure to meet the limit for one or more permit parameter
Environmental audits.
   N/A
Type of environmental management systems (EMSs).
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E.

F.

G.

Н.

I.

J.

N/A

N/A Sites Outside of Texas N/A

Early compliance.

Voluntary on-site compliance assessment dates.

Participation in a voluntary pollution reduction program.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
THE REINFORCED EARTH	§	
COMPANY	§	
RN101237972	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2008-0373-PWS-E

I. JURISDICTION AND STIPULATIONS

At its ______ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding The Reinforced Earth Company ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

- 1. The Respondent owns and operates a public water supply at 136 Waco Sand Road near Waco, McLennan County, Texas (the "Facility") that has approximately three service connections and serves at least 25 people per day for at least 60 days per year.
- 2. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
- 3. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about February 27, 2008.
- 4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 5. An administrative penalty in the amount of One Thousand Five Hundred Seven Dollars (\$1,507) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid One Thousand Two Hundred Six Dollars (\$1,206) of the administrative penalty and Three Hundred One Dollars (\$301) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The

deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

- 6. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 7. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 8. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility as of March 12, 2008:
 - a. Provided Well No. 2 with an intruder-resistant fence that includes three strands of barbed wire on the top of the fence and a lockable gate;
 - b. Provided water system records: water production records and monitoring plan;
 - c. Had the backflow prevention assembly between the public water system and the process water tested by a recognized backflow prevention assembly tester, and certified that the backflow prevention assembly is operating within specifications;
 - d. Began maintaining a minimum pressure of 35 pounds per square inch ("psi") at all points within the distribution system;
 - e. Repaired the leak on the well distribution line;
 - f. Began providing a minimum pressure tank capacity of 220 gallons at the Facility; and
 - g. Established a written protocol that is to be followed to ensure that proper public notification and boil water notices are provided to customers of the water supply in the event of distribution pressures below 20 psi, water outages, positive microbiological samples, low chlorine residuals, or other conditions which indicate that potability of the water may have been compromised.
- 9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

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II. ALLEGATIONS

As owner and operator of the Facility, the Respondent is alleged to have:

- 1. Failed to provide an intruder-resistant fence or lockable building in order to protect the Facility's well, in violation of 30 Tex. ADMIN. CODE § 290.41(c)(3)(O), as documented during an investigation conducted on December 10, 2007.
- 2. Failed to provide water system records for Commission review at the time of the investigation, in violation of 30 Tex. ADMIN. CODE § 290.46(f)(2), as documented during an investigation conducted on December 10, 2007.
- 3. Failed to ensure backflow prevention assemblies, which are installed to provide protection against health hazards, are tested and certified to be operating within specifications at least annually by a recognized backflow prevention assembly tester, in violation of 30 Tex. ADMIN. CODE \$ 290.44(h)(4), as documented during an investigation conducted on December 10, 2007.
- 4. Failed to maintain a minimum pressure of 35 pounds per square inch ("psi") at all points within the distribution system, in violation of 30 Tex. ADMIN. CODE § 290.44(d), as documented during an investigation conducted on December 10, 2007.
- 5. Failed to maintain all distribution system lines, water storage and pressure maintenance facilities, and all related appurtenances in a watertight condition, in violation of 30 Tex. ADMIN. CODE § 290.46(m)(4), as documented during an investigation conducted on December 10, 2007.
- 6. Failed to provide a minimum pressure tank capacity of 220 gallons, in violation of 30 TEX. ADMIN. CODE § 290.45(d)(2)(A)(ii), as documented during an investigation conducted on December 10, 2007.
- 7. Failed to institute "Special Precautions" in the event of inadequate chlorine residuals, in violation of 30 Tex. ADMIN. CODE §§ 290.122(a)(2) and 290.46(q), as documented during an investigation conducted on December 10, 2007.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: The Reinforced Earth Company, Docket No. 2008-0373-PWS-E" to:

The Reinforced Earth Company DOCKET NO. 2008-0373-PWS-E Page 4

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 3. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 4. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 5. Under 30 Tex. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

•

Name (Printed or typed)

Authorized Representative of The Reinforced Earth Company

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission
For the Executive Director 8/29/2008 Date
I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.
 I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in: A negative impact on compliance history; Greater scrutiny of any permit applications submitted; Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency; Increased penalties in any future enforcement actions; Automatic referral to the Attorney General's Office of any future enforcement actions; and TCEQ seeking other relief as authorized by law. In addition, any falsification of any compliance documents may result in criminal prosecution.
Signature 04/01/08 Date

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

Title

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